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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 070639/0135

Applicant: Izumi HARADA

Title: SETTLEMENT METHOD IN DEAL OF GOODS OR SERVICE

Serial No.: 09/850,134

Filed: May 8, 2001

Examiner: Elisca, Pierre E.

Art Unit: 3621

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO SB/08 is a list of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any documents herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed after the mailing date of a first Office action on the merits, but before the mailing date of a final Office Action or a notice of allowance. Accordingly, a certification or fee is required.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information submitted with this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Japanese Office Action that issued November 20, 2003, with respect to a counterpart Japanese patent application, is provided below.

"Claims 1-45
Cited Literature 1

Comments

Cited Literature 1 describes an invention that performs a settlement after transmitting from a wireless telephone (corresponding to a portable wireless terminal) an ID number (corresponding to vendor identification data), use information (corresponding to transaction information), and a password (corresponding to authorization information) in order to perform the authorization.

B. The invention according to the claims described below in the present application is the same as in an invention (Utility Model Registration) described in the specification or drawings initially accompanying the application for a patent application (for Utility Model Application) described below that is a patent (Utility Model Registration) application with a date prior to the present application date, where the application publication (the publication

of the patent description disclosure or the publication of the utility model description disclosure), or the application publication was after the date of [the present] application, and the inventors (innovators) in the patent (Utility Model Registration) application prior to the [present] application are not the same as the inventors in the present application, and the applicant in the patent (Utility Model Registration) application is not the same as the applicant at the time of [the present] application, and thus no patent may be granted according to the stipulations of Paragraph 2 of Article 29 of the Patent Law.

Note

(For a list of the cited literature, see the List of Cited Literature)

Claims 1, 35, 37
Prior Application 2

Comments

The invention according to the prior application is seen as essentially the same as the invention according to the present application because an invention is described wherein the settlement is performed after sending a secret number (corresponding to "verification information") from a wireless terminal (corresponding to the "portable terminal device") and transmitting the purchase amount (corresponding to the "transaction data") the store number (corresponding to the "purchaser identification number") and an ID number (corresponding to the "vendor identification number") to perform the authorization of the individual.

Notifications of reasons for rejection will be provided in new reasons for rejection are discovered.

List of Cited Literature

1. Japanese Unexamined Patent Application Publication H11-66430
2. Patent Application 2000-119055 (Japanese Unexamined Patent Application Publication 2001-306517)

Record of Prior Art Literature Search Results

Fields Searched: IPC 7th edition G06F 17/60

Prior Art Literature - Japanese Unexamined Patent Application Publication H11-45366

This Record of Prior Art Literature Search Results does not constitute a reason for rejection."

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

DECEMBER 18, 2003

Date



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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: December 18, 2003 <i>(use as many sheets as necessary)</i>				Complete if Known Application Number: 09/850,134 Filing Date: 05/08/2001 First Named Inventor: Izumi HARADA Group Art Unit: 3621 Examiner Name: Elisca, Pierre E. Attorney Docket Number: 070639-0135	
Sheet	1	of	1		

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A1	JP	11-66430		03/09/1999			X
	A2	JP	2001-306517		11/02/2001			X

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

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Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.